

CITY OF GREENSBORO
PUBLIC ENTERTAINMENT USES SECURITY MANUAL

I. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Breach of the peace means an act that disturbs the public order, including, but not limited to, assault, unlawful possession of dangerous or deadly weapons, discharge of firearms and homicide.

Chief of police means the chief of the Greensboro Police Department, or his designee.

Conviction and convicted mean a finding of guilt for a violation of a municipal or county ordinance or state or federal law, an adjudication withheld on such a finding of guilt, an adjudication of guilt on any plea of guilty or *nolo contendere*, or the forfeiture of a bond or bail when charged with a violation of a municipal or county ordinance or state or federal law.

Employee describes and pertains to any person who performs any service or entertainment upon the premises of a public entertainment business, whether or not the person is denominated an employee, independent contractor, agent, or otherwise, and regardless of whether or not the person is paid a salary, wage, or other compensation by the owner or operator of the business. The term "employee" does not include a person exclusively on the premises for any of the following:

- (1) The repair or maintenance of the premises;
- (2) The delivery of goods to the premises; or
- (3) The delivery of services, such as legal, accounting, insurance, or other similar services provided to businesses generally.

Juvenile means a person less than 18 years of age.

Knowingly means with actual knowledge of a specific factor, or with reasonable inquiry, what a reasonable person should have known as a specific fact.

Operator means and includes any person who is both present on and in charge of any public entertainment business or performs duties of the manager.

Owner means the legal owner of a public entertainment business and includes the following:

- (1) The owner of a sole proprietorship;

- (2) Each member of a firm, association, or general partnership;
- (3) Each general partner in a limited partnership; or
- (4) Each officer, director, and owner of 10 percent or more of the stock of a corporation.

Patron means any person present at the public entertainment business, whether such person is a paying customer or guest. “Patron” does not include owners or employees of the public entertainment business.

Permittee means a person in whose name a permit to operate a public entertainment business has been issued, as well as the individual listed as an applicant on the application for an entertainment permit.

Person means any individual, group of individuals, corporation, partnership, association or other entity formed for the purpose of conducting business, or any combination of such.

Premises means the interior of a structure and all exterior areas owned or leased by the permittee and the areas immediately adjacent to the premises that patrons utilize to stand in line to the premises and areas utilized by patrons to smoke before reentering the public entertainment business.

Public Entertainment means any of the following activities:

- (1) Dancing;
- (2) Audience participation in the entertainment; or
- (3) Live entertainment.

Entertainment Facilities shall not include taverns, bars, lounges, cocktail lounges and other drinking establishments where electronically reproduced music emanating from a loudspeaker system is provided for the listening pleasure of patrons, so long as no other public entertainment is provided or allowed.

Security Personnel means any person(s) who perform(s) security related tasks on behalf of the permittee including, but not limited to: removing problem patrons from the premises, removing illegal contraband from patrons at the premises, checking identifications of patrons to ensure minimum age compliance with local and state laws, and escorting patrons from the premises. Security personnel must be qualified to engage in the private securities profession as mandated in the North Carolina General Statutes, Chapter 74C.

II. Minimum Requirements for Facility Security

A. The following security shall be provided at all entertainment facilities engaged in public entertainment:

1. Each entertainment facility shall provide one security person on site for every 100 patrons, up through 400 patrons, and then one additional security person for every 200 additional patrons through 800, and then one additional security person for every 300 additional patrons. "Patrons" means all persons on the premises and includes persons waiting in line to enter the premises. The following table visually depicts these requirements:

Number of Patrons	Security Staff Required
Up to 100	1
101-200	2
201-300	3
301-400	4
401-600	5
601-800	6
801-1100	7
1101-1400	8

2. The security personnel required to be on duty when the public entertainment begins or 9:00 p.m., whichever occurs first in time, and shall remain on duty for at least one-half hour after the entertainment facility has closed or after all patrons have vacated the area immediately surrounding the premises and the adjacent parking lots used by patrons, whichever occurs later in time.
3. The security persons shall provide security that is plainly visible to patrons inside the premises of the entertainment facility. Security persons will also maintain plainly visible security along the outside perimeter of the premises, and at parking sites immediately adjacent to the premises and used by patrons.
4. Security persons shall extend every effort to remove disruptive persons separately and ensure that each departs the premises and parking area prior to the next disruptive person being removed from the premises and parking area.
5. If found, security personnel shall remove any illegal contraband from patrons, report its existence to the Greensboro police department, identify the person in possession of the illegal contraband and immediately turn it over to the proper law enforcement authorities.
6. All security personnel shall register and maintain valid registration status with the State of North Carolina's as required in Chapter 74C on the North Carolina General Statutes. At no time shall any security personnel register with the state at

any level that is less than that of an unarmed security guard. Armed security guards must be qualified pursuant to the requirements of North Carolina General Statute's 74C-13, *et. seq.* Proof of application and registration for all security personnel shall be maintained by the permittee and shall consist of copies of all relevant documentation including: application forms, receipts for application fees and live scan fees, and actual proof of registration.

7. At closing time, the security personnel shall be responsible for clearing the patrons of the entertainment facility from the sidewalk and street areas in front of the premises and from other areas accessible to persons around the perimeter and within one hundred and fifty feet of the premises.
8. While on duty, all security personnel shall have a nameplate containing the security personnel's full name and the word "SECURITY" printed in bold, capital letters. The nameplate shall be exhibited prominently on the clothing, at chest level, and shall be visible and easily read at all times. The nameplate shall be a minimum of three inches high and nine inches wide, with the required information printed in capital letters, at least two and one-half inches high and in a contrasting and highly visible color. As an alternative to a nameplate, the security personnel's name and the word "SECURITY" may be embroidered on the security personnel's outermost garment with the required information meeting the above specifications and located at chest level.
9. The entertainment facility shall not allow any security personnel to, and no security personnel shall, sit at the bar, consume alcoholic beverages or any controlled substance, be under the influence of alcoholic beverages or any controlled substance, or engage in any other violations of law while on duty. Additionally, the entertainment facility shall not allow any security personnel to, and no security personnel shall at any time, serve any patron any food, drink, alcohol or other consumable item or items.
10. The entertainment facility shall not allow any security personnel to be, and no security personnel shall be, in possession of any firearm while on the premises without first having obtained a license from the appropriate state or local agency authorizing the security personnel to be in possession of a firearm.
11. If the entertainment facility employs security personnel that will be in possession of a firearm while on the premises, the security personnel shall, no less than days prior to the date he or she will begin employment with the entertainment facility, provide the Chief of Police with the following:
 - a. A copy of the license issued to the security personnel by the appropriate state or local agency authorizing him or her to possess such firearm;
 - b. A copy of his or her law enforcement identification (if he or she is employed by a law enforcement agency); and

- c. A copy of his or her North Carolina driver's license or North Carolina identification card.
- 12. Security shall be responsible for maintaining order at the entertainment facility premises and shall ensure the patrons do not carry concealed weapons, including but not limited to guns and knives.
- B. The applicant shall be responsible for compliance with the security plan without regard to assignment or sub-lease of the entertainment facility to any other person or entity for any future public entertainment. If the use of an entertainment facility is assigned or sub-leased to another person or entity, the assignee or sub-tenant shall be jointly responsible with the applicant for compliance with the security plan. Nothing in this Manual shall be construed to modify or expand any restrictions upon the transfer or assignment of a privilege license in Chapter 13 of the Greensboro Code of Ordinances.

III. Plan

The applicant shall provide a written security plan which describes in detail all procedures which the entertainment facility shall use to continuously meet the Minimum Requirements for Facility Security. The security plan shall also include the following:

- A. A list of equipment to be used for facility security purposes;
- B. A list of the employees, agents or contractors of the entertainment facility whose responsibilities include compliance with the security plan, including a description of the duties of each such employee, agent or contractor; and,
- C. A schedule which shows at least twelve (12) hours annually of mandatory training for each such employee, agent or contractor, to maintain certification under the Private Protective Service Act.

IV. Applications and Review

- A. In addition to providing all information required by other applications for a privilege license under this ordinance or Chapter 13 of the City of Greensboro Code of Ordinances, the applicant must also provide the following information to the Planning Director before a privilege license may be issued:
 - 1. The full name, address and telephone number of the owner of the real property where the entertainment facility is located.
 - 2. The address of the principal office of the business that operates the entertainment facility or the location at which its business records are kept, if different from the address of the entertainment facility.

3. The Federal tax identification number of the business which operates the entertainment facility.
 4. The name(s), address(s) and telephone number(s), date(s) of birth, and social security or Federal tax identification number(s) of for each person who is an owner of the business operating the entertainment facility. If the business is owned by a corporation, then the applicant will provide the required information herein for each officer of the corporation. If the business is owned by a limited liability company, then the applicant will provide the required information herein each member and manager of the company. If the business is owned by any form of partnership, then the applicant will provide the required information herein each general partner of the partnership.
 5. The name(s), address(s) and telephone number(s), date(s) of birth, and social security or Federal tax identification number(s) of each person who is an employee of the applicant responsible for managing or supervising the business operating the entertainment facility.
 6. A copy of the current lease between the owner of the real property where the entertainment facility is located and the owner of the business that operates the entertainment facility.
 7. A sketch plan or diagram showing the configuration of the premises and including a statement of total floor space occupied by the business. The sketch need not be to scale but must provide accurate measurements.
 8. A notarized statement from the applicant or applicant's representative that all information provided to the City of Greensboro is true and correct.
- B. After the issuance of a privilege license, applicants under this article shall have a continuing duty to supplement all information required by this section if the information changes in any way from what is stated on the application. The applicant shall have thirty (30) days in which to provide such supplemental information to the Planning Director.